



California Regional Water Quality Control Board

San Diego Region

Winston H. Hickox
Secretary for
Environmental
Protection

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Gray Davis
Governor

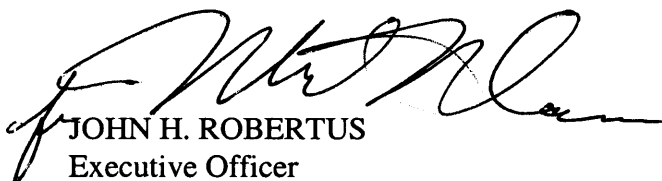
31 October 2001

Settlement Offer Notice & 30-Day Public Comment Period

On 24 October 2001, the California Regional Water Quality Control Board, San Diego Region (Regional Board) elected to consider settlements of liability for Complaint No. 2001-186 against William Johnson and North Plaza, LLC, and Complaint No. 2001-187 against William Johnson and Rancho California Highlands II, LLC. Attached are the two settlements for consideration. The public is requested to submit comments on whether the Regional Board should adopt these settlements.

The Regional Board will consider adoption of the settlements at the 12 December 2001 Regional Board meeting. Written comments must be received by the Regional Board by 30 November 2001. Written comments received after 30 November 2001, may not be provided to the Board Members, however oral comments can be made on the day of the meeting. More information about the Board Meeting and these settlements can be found at the Regional Board web page www.swrcb.ca.gov/rwqcb9 or by calling Frank Melbourne at (858) 467-2973.

Respectfully,


JOHN H. ROBERTUS
Executive Officer

JHR:mja:ftm

Enclosures: 1. North Plaza Settlement Offer
 2. Rancho California Highlands Settlement Offer
 3. Interested Parties List

Copies to: Interested Parties

File Nos. 10-301398.02
 10-3014866.02

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California Environmental Protection Agency

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>.

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Settlement Terms

Complaint No. 2001-186 against William Johnson and North Plaza, LLC

- 1) Administrative Civil Liability in the amount of \$103,497 to be assessed as follows:
 - a) Failure to file Notice of Intent (NOI) to comply with the Construction Storm Water Permit, California State Water Resources Control Board Order No. 99-08-DWQ for 510 days at \$65 per day in violation of California Water Code section 13376 and Order No. 99-08-DWQ section C.1; (Total \$33, 150);
 - b) Failure to submit technical report No. 1 for 496 days at \$4.50 per day in violation of California Water Code section 13267; (Total \$2,232);
 - c) Failure to submit technical report No. 2 for 235 days at \$9 per day in violation of California Water Code section 13267; (Total \$2,115);
 - d) Discharge of sediment to waters of the United States for six days at \$10,000 per day in violation of California Water Code section 13376 and Order No. 99-08-DWQ section A.2; (Total \$60,000);
 - e) Failure to implement and/or maintain Best Management Practices (BMPs) for six days at \$1,000 per day in violation of Order No. 99-08-DWQ section C.2; (Total \$6,000).
- 2) Waive the right to petition the State Water Resources Control Board on this matter;
- 3) Payment to the State Cleanup and Abatement Fund of \$103,497, or no less than \$55,000 if Supplemental Environmental Projects (SEPs) are selected by the Regional Board and successfully completed; and
- 4) Attain full compliance with the Construction Storm Water Permit by 15 October 2001.

Settlement Terms

Complaint No. 2001-187 against William Johnson and Rancho California Highlands II, LLC

- 1) Administrative Civil Liability in the amount of \$100,003 to be assessed as follows:
 - a) Failure to file NOI for 351 days at \$65 per day in violation of California Water Code section 13376 and Order No. 99-08-DWQ section C.1; (Total \$22,815);
 - b) Failure to submit technical report for 264 days at \$4.50 per day in violation of California Water Code section 13267; (Total \$1,188);
 - c) Discharge of sediment to waters of the United States for seven days at \$10,000 per day in violation of California Water Code section 13376 and Order No. 99-08-DWQ section A.2; (Total \$70,000);
 - d) Failure to implement and/or maintain Best Management Practices (BMPs) for six days at \$1,000 per day in violation of Order No. 99-08-DWQ section C.2; (Total \$6,000).
- 2) Waive the right to petition the State Water Resources Control Board on this matter;
- 3) Payment to the State Cleanup and Abatement Fund of \$100,003, or no less than \$55,000 if Supplemental Environmental Projects (SEPs) are selected by the Regional Board and successfully completed; and
- 4) Attain full compliance with the Construction Storm Water Permit by 15 October 2001.

Interested Parties List

Jerry Alegria, Senior Engineer City of Temecula PO BOX 9033 Temecula, CA 92589-9033 Alegriaj@cityoftemecula.org	Tom Huetteman US EPA Region IX 75 Hawthorne St WTR-7 San Francisco, CA 94105
Nancy Backstrand Friends of Santa Margarita River nancyb@nctimes.net	William P. Johnson 29400 Rancho California Road Temecula, CA 92591
Mathieu Blackston The Californian Newspaper mblackston@nctimes.com	Csaba Ko 41621 Avenida Barca Temecula, CA 92591
Deanna Cummings US Army Corps of Engineers 911 Wilshire Blvd Los Angeles, CA 90017-3401	Don McAuliffe Press Enterprise Newspaper Dmcauliffe@pe.com
Terri Dickerson CA Dept. of Fish & Game 4949 Viewridge Ave San Diego, CA 92123	John Mulder 43533 Ridge Park Dr Suite A Temecula, CA 92590
Steve Fuller US EPA Region IX	Doreen Statdlander US Fish & Wildlife Service doreen_statdlander@fws.gov
Scott Gold Los Angeles Times Newspaper Scott.gold@latimes.com	Shanda Stephenson, Esq. Latham & Watkins 650 Town Center Drive 20 th Floor Costa Mesa, CA 92626-1925 Shanda.stephenson@lw.com
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Kathleen Hamilton URGE kathleen92590@aol.com	Mark ? US Army Corps of Engineers 16885 W Bernardo Dr Suite 300A San Diego, CA 92127
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